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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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9 MICHELLE MELLEMA,) 3:09-CV-0361-RCJ (RAM)
10 Plaintiff,)
11 vs.)
12 HERBERT KAPLIN, et al.,)
13 Defendants.)
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REPORT AND RECOMMENDATION
OF U.S. MAGISTRATE JUDGE

14 This Report and Recommendation is made to the Honorable Robert C. Jones, United
15 States District Judge. The action was referred to the undersigned Magistrate Judge pursuant
16 to 28 U.S.C. § 636(b)(1)(B) and the Local Rules of Practice, LR IB 1-4.

17 **BACKGROUND**

18 On July 8, 2009, Plaintiff filed her Application to Proceed *In Forma Pauperis* and Civil
19 Rights Complaint (Doc. #1). On September 16, 2009, the court sent Plaintiff its Order
20 (Doc. #2) which was returned, with the notation “RTS-Closed” (Doc. #3).

21 LSR 2-2 provides that “The plaintiff shall immediately file with the court written
22 notification of any change of address. The notification must include proof of service upon each
23 opposing party or the party’s attorney. Failure to comply with this rule may result in dismissal
24 of the action with prejudice.”

25 Without such notification the court can process this case and it becomes unmanageable.

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Because of this circumstance and the Plaintiff's failure to comply with LSR 2-2, it is recommended that the District Court enter an order dismissing this action with prejudice.

RECOMMENDATION

IT IS HEREBY RECOMMENDED that the District Court enter an Order dismissing this action with prejudice.

The parties should be aware of the following:

1. That they may file, pursuant to 28 U.S.C. § 636(b)(1)(C) and Rule IB 3-2 of the Local Rules of Practice, specific written objections to this Report and Recommendation within ten (10) days of receipt. These objections should be titled "Objections to Magistrate Judge's Report and Recommendation" and should be accompanied by points and authorities for consideration by the District Court.

2. That this Report and Recommendation is not an appealable order and that any notice of appeal pursuant to Rule 4(a)(1), Fed. R. Civ. P., should not be filed until entry of the District Court's judgment.

DATED: October 6, 2009.



UNITED STATES MAGISTRATE JUDGE